

REMARKS

Claim 1 was rejected based on the combination of Shepherd in view of Gilbert. It is suggested that including a list of addressees or nodes in a forwarded data package indicative of the packages recipients is well known in the art as evidenced by Gilbert. To the extent an assertion of well known art is being made, it is respectfully challenged.

However, the rejection is deficient since it does not show any rationale from within the cited art to make the claimed combination. For example, the first full paragraph at page 3 is simply conclusory and/or operates with the benefit of hindsight reasoning. Namely, once the benefit of doing what is claimed is known, the Examiner simply says that it would be most time efficient. But, presumably, people do not do things in less time efficient ways if it were obvious to do so. Nothing in Gilbert or Shepherd suggests any reason to combine their teachings. No such rationale is anywhere pointed out in the rejection and, therefore, a *prima facie* rejection is not made out.

Claim 2 is dependent on claim 1 and further calls for enabling the first processor-based system to install software packages on the first processor-based system, make a copy of the package, and transmit the package to a second processor-based system. In support of the rejection of claim 1, Mapson is cited.

There is no suggestion in Mapson of any distribution of software and software lists. In Mapson, the distribution server makes a copy, but the distribution server is the originating server and does not receive the package and a list of addressees from any other source. Thus, for Mapson to teach the claimed invention, the receiving or remote location would have to make a copy. This is not the way Mapson operates. The copies are made originally and the copies are distributed.

Claim 2 calls for the receiver to make a copy and distribute the package on to still further sources.

Therefore, Mapson fails to anticipate claim 2 or render it obvious.

Claim 8 calls for changing the encryption with each successive transfer from one to the next processor-based system. Again, surprisingly, Mapson is cited, despite the fact that Mapson never contemplates successive transfers.

Therefore, reconsideration of the rejection of claim 8 is respectfully requested. On the same basis, the article claims, including claims 11-20, and the system claims, including claims 21-25, should now be in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

Date: May 12, 2004



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